

WEST TISBURY
CONSERVATION COMMISSION
MINUTES OF MEETING
January 11, 2022

The meeting was held via Zoom in accordance with the Governor's order suspending certain provisions of the Open Meeting Law, G.L. c.30A sec.20. Public participation will be via remote participation (Zoom) pursuant to M. G. L. Chapter 20 of the Acts of 2021.

Present: John Brannon, Geraldine Brooks, Whit Griswold, Angela Luckey, Donna Paulnock, Peter Rodegast and Michael Turnell

Staff Present: Maria McFarland

Also present for all or part of the meeting: Fred Barron, Michael Baumrin, Matt Gangola, Doug Hoehn, Harrison Kisiel, Woody Mitchell, and Josh Scott

Whit Griswold called the meeting to order at 5:00PM. Members welcomed Fred Barron to the board. He will begin participation at the January 25 meeting.

Minutes:

- Approval of the minutes of November 29 meeting were tabled to the next meeting.
- The minutes of the December 14, 2021 meeting were approved as revised. Roll Call Vote: Angela -aye, Donna-aye, Geraldine – aye, John– aye, Michael-aye, Peter-aye, and Whit– aye.

New Public Meeting:

Map 36 Lot 1: a public meeting under the requirements of G.L. Ch.131 § 40, as amended, and the West Tisbury Wetlands Protection Bylaw and regulations, to consider a **Request for Determination of Applicability** filed by the Martha's Vineyard Land Bank for permission to relocate two sections of one of the trails at the Land Bank property known as Sepiessa Point Reservation located at Clam Point Road due to high pond levels and erosion of the coastal bank.

Harrison Kisiel reviewed the plan showing the relocated paths and explained the need for both. The section of trail where the boardwalk is located is sometimes inundated with water and not passable. The wetlands are migrating inland causing the boardwalk to sit within an actual resource area. The other section of the trail has almost completely eroded. Both sections of trail will be relocated upland within the Buffer Zone. Both areas already show signs that people have created so-called social paths.

Geraldine asked about the suggestion Peter made at the site visit to leave the boardwalk in place for those times that the pond level is not too high. Peter noted that this is the old road bed that leads to the first canoe launch. Harrison said he discussed with Julie Russell, the Land Bank ecologist, and she felt it would be more disruptive to leave the boardwalk in place.

The only work needed to complete the relocation is minor brush cutting, pruning of vegetation, and the installation of split rail fences to block off the existing trails.

A motion was made by Peter, seconded by Michael to issue a Negative Determination that the work is within an area subject to protection under the Wetlands Protection Act and the West Tisbury Wetlands Protection Bylaw, but will not fill, dredge or alter the resource area. Roll Call Vote: Angela -aye, Donna- aye, Geraldine– aye, John– aye, Michael aye, Peter-aye, and Whit-aye.

New Public Hearing:

Map 1 Lot 15/SE79-TBD: a public hearing under the requirements of requirements of G.L. Ch.131 § 40, as amended, and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Schofield, Barbini & Hoehn, Inc., on behalf of Judith Meredith Alman-Bernstein, Trustee of the 17 Chowder Kettle Lane Realty Trust, for a project to install a swimming pool, pool fence and perform associated site work within the Buffer Zone to Isolated Land Subject to Flooding. The project location is 101 Capawock Road. At the request of the applicant, a motion was made Michael, seconded by Angela to continue the hearing on this matter to January 25 at 5:10PM. No testimony was taken. Roll Call Vote: Angela-aye, Donna- aye, Geraldine – aye, John aye, Michael -aye, Peter-aye and Whit -aye.

Map 12 Lot 33/SE79-429: a public hearing under the requirements of G.L. Ch.131 § 40, as amended, and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by Schofield, Barbini & Hoehn, Inc., on behalf of Michael A. Baumrin for a project to install a temporary construction access road within the Buffer Zone to Isolated Land Subject to Flooding for delivery of a modular home to replace an existing dwelling. The project location is 76 Christiantown Road.

Doug Hoehn presented the project on behalf of Mr. Baumrin. The board viewed the staked temporary construction road at the January 5 site visit. At the site visit, it was requested that the trees in the footprint of the driveway be flagged and that Josh submit a statement listing the vegetation to be removed and the replacement specimens.

Michael Baumrin said he bought the house three-bedroom, one bathroom 1,800 square foot house in 1983 and it is too small to accommodate his children and grandchildren.

Matt Gangola of Squash Meadow Construction Company said the temporary road will be 16' wide to accommodate the house modules which are 12' wide and 46' long.

Josh Scott, went over the list of trees and shrubs that need to be removed to locate the temporary road and a list of replacement trees and shrubs. The trees to be removed will be flush cut and the ground cover brush cut. Filter fabric and tailings will be put down in the road. Once the modules are in place the driveway, the soils will be de-compacted using a small excavator to promote more native growth.

Commissioner's Comments//Questions

Peter asked if the temporary driveway could be narrower. Matt replied that they need to take into account that the modules need to be able to swing around the curvature of the road layout. They also need to take into account the size of the machine pulling the module units. Peter asked Josh to explain de-compacting the soils. Josh explained that in the areas they plan to plant, there may be some compaction of the soils. They will use an excavator to “paw” the top soil in order to promote plant growth.

Angela asked why 17 trees being removed, but only 5 are being planted. Josh explained that they are focused on planting the shrub layer more than the trees to screen the road. They are also being cost conscious and taking into account deer browsing.

When asked if the Hollies could be transplanted, Josh replied that it would be more disturbance to excavate the 3 holly trees than to flush cut them. If they were excavating the area where the trees are located, they would transplant them.

Josh will remove the high bush blueberry and replace with 5 Winterberry (*Ilex verticillate*) and 5 American Holly (*Ilex opaca*). Michael suggested that Josh could wrap the base of the American Holly and the Red Maples to protect them from the deer.

There being no public comment, the public hearing was closed.

A motion made by Michael, seconded Angela by to approved the project as presented with a revised plant list to be submitted. Roll Call Vote: Angela -aye, Donna- aye, Geraldine – aye, John – aye, Michael -aye, Peter-aye and Whit -aye.

Conditions: Erosion control measures and a pre-construction site visit are not required. Notice that work is started Once the construction access road is no longer needed, the filter fabric and tailings will be removed and soils de-compacted. A site visit will be required prior to the restoration planting.

A motion was made and seconded to approve the special conditions. Roll Call Vote: Angela -aye, Donna- aye, Geraldine – aye, John – aye, Michael -aye, Peter-aye and Whit-aye.

New Business:

Fire Chief/ Request to put emergency call number posts along West Tisbury shoreline: Maria told the board that the Gregory Pachico asked her if he needs permission from the Commission to erect posts showing the location and emergency call numbers along the shore line in West Tisbury. Ideally, he would like to put these posts every 500 feet. (Nantucket has done a similar project put the sign posts are only located where there is vehicular access to the shore line for emergency vehicles and at the entrance to town beaches.) Because the Town can not pay for anything done on private property, Gregory will have to work with the Town Administrator on this part of the project. Maria has told Gregory that as long as the posts are not placed in the dunes or on a beach where they could wash away, the Commission doesn't need to approve the location. The board would like to be updated on this project. No action was taken.

Administrative:

2021 Annual Report: A motion was made by Geraldine, seconded by John to approve the Annual Report as revised. Roll Call Vote: Angela -aye, Donna- aye, Geraldine– aye, John– aye, Michael-aye, Peter-aye and Whit– aye.

Members wished John a fond farewell and thanked him for his time with the Commission. Whit asked John for any words of wisdom. John’s parting words of advice were to hang tough. There being no further business to discuss, the meeting adjourned at 6:25 PM.

Respectfully Submitted,

Maria McFarland
Board Administrator
APPROVED
JANUARY 25, 2022